

MAP7 Rec'd PCT/PTO 01 SEP 2006

Attorney Docket: 27622U

MAIL STOP PCT

U.S. Department Of Commerce, Patent And Trademark Office		Date: 01 September 2006 (01:09:2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (If known): <b>07591768</b> Not Yet Assigned
International Application No.: PCT/EP2005/051052	International Filing Date: 9 March 2005 (09.03.2005)	Priority Date Claimed: 10 March 2004 (10.03.2004) EP 1 February 2005 (01.02.2005) EP
Title of Invention: <b>NOVEL THIO-CONTAINING HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS</b>		
Applicants for DO/EO/US: <b>KAUTZ, Ulrich</b>		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li>20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/087744 A1, WITH FORM PCT/ISA/210 (INTERNATIONAL SEARCH REPORT), INTERNATIONAL PUBLICATION DATE: 22 SEPTEMBER 2005 (22.09.2005), WHICH CONSISTS OF 71 PAGES: 2 PAGES FOR THE COVER SHEET, 59 PAGES OF TEXTUAL SPECIFICATION, 10 PAGES OF 16 CLAIMS, 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B AND C TO BE EXAMINED</b>; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE); PCT /RO/101 ( PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</li> </ol>		

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U.S. Application Number: (if known): Not Yet Assigned <b>10/591768</b>		International Application Number: PCT/EP2005/051052	Date: 01 September 2006 (01:09:2006)
The following fees are submitted: 21. Basic National Fee (37 CFR 1.492(a)) ..... \$ 300.00  22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$ 0.00 All other situations ..... \$ 200.00  23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$ 400.00 All other situations ..... \$ 500.00  Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.  ENTER APPROPRIATE BASIC FEE AMOUNT =		<b>CALCULATIONS</b>  \$ 300.00   \$ 200.00   \$ 400.00   \$ 900.00	<b>PTO USE ONLY</b>
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00	
CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE
TOTAL	14-20=	0	X \$ 50.00
INDEPENDENT	1-3=	0	X \$ 200.00
Multiple dependent claims(s) (if applicable)			+ \$360.00
TOTAL OF ABOVE CALCULATIONS =			\$ 900.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).			\$ 0.00
SUBTOTAL =			\$ 900.00
Processing fee of \$130.00 for furnishing the English translation later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +			\$ 0.00
TOTAL NATIONAL FEE =			\$ 900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 0.00
TOTAL FEES ENCLOSED =			\$ 900.00
		Amount to be: refunded charged	\$ \$



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
KAUTZ

Serial No.: Not Yet Assigned  
Filed: September 1, 2006  
International Appl. No.: PCT/EP2005/051052  
International Filing Date: 9 March 2005 (09.03.2005)  
Title: NOVEL THIO-CONTAINING HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS  
PDE4 INHIBITORS

TRANSMITTAL LETTER


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/087744 A1, with Form PCT/ISA/210(International Search Report), International Publication Date: 22 September 2005 (22.09.2005), which consists of 71 pages:  
2 pages for the Cover Sheet,  
59 pages of Textual Specification,  
10 pages of 16 Claims,  
0 sheets of Drawings;
- 4) **Preliminary Amendment with Appendices A,B and C to be Examined;**
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308(Second and Supplementary Notice);
- 10) PCT /R0/101( PCT Request);
- 11) Check No.: 2759 in the Amount of \$ 900.00 for Basic Filing Fee, which includes Search and Examination Fees as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

  
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Sheldon M. McGee, Reg. No. 50,454  
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